IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit: 1645

Washington, D.C.

Examiner: P.A. DUFFY

Atty.'s Docket: VESPER 1 Date: February 24, 2004 <sup>121,2</sup> 0 , 2004

In Re Application of: Stephen VESPER Application No.: 09/866,793 TRADEN Filed: May 30, 2001 For: METHODS FOR ISOLATING...

THE COMMISSIONER OF PATENTS AND TRADEMARKS U.S. Patent and Trademark Office 2011 South Clark Place Customer Window, Mail Stop: Non-Fee Amendment Crystal Plaza Two, Lobby, Room 1B03 Arlington, Virginia 22202

Sir:

[ ] Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.

[XX] No additional fee is required.

[ ] The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY			ENTITY		0	OTHER THAN SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS		RATE		ADDITIONAL FEE	OR		RATE	ADDITIONAL FEE	
TOTAL	• 7	MINUS	** 20	0		x	9	\$		x	18	\$	
INDEP.	* 3	MINUS	*** 11	0		x 42 \$ x 84		84	\$				
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					] [	+	140	\$	•	+	280	\$	
	ADDITIONAL FEE TOTAL					\$	OR		TOTAL	\$			

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[ ] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

Conf. No. 5682

[ ] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity			0	Other Than Small Entity							
Respo	Response Filed Within			R	Response Filed Within						
[]	First	-	\$ 55.00		[	]	First	-	\$	110.00	
[]	Second	-	\$ 205.00	•	ſ	1	Second	-	\$	410.00	
[]	Third	-	\$ 465.00		ſ	1	Third	-	\$	930.00	
[]	Fourth	•	\$ 725.00		ſ	1	Fourth	-	\$	1450.00	
Month	Month After Time Period Set			M	Month After Time Period Set						

[ ] Less fees (\$\_\_\_\_\_) already paid for \_\_\_ month(s) extension of time on \_\_\_\_\_\_

Please charge my Deposit Account No. 02-4035 in the amount of \$\_\_\_\_\_\_

[ ] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$\_.

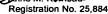
[ ] A check in the amount of \$\_\_\_\_\_ is attached (check no. ).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does <u>not</u> include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK, P.L.L.C.

Attorneys for Applicant(s)

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## UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: VESPER=1

In re Application of:	)	Art Unit: 1645
	)	
Stephen J. VESPER	)	Examiner: Patricia A. DUFFY
Serial No.: 09/866,793	)	Confirmation No. 5682
Filed: May 30, 2001	)	Washington D.C.
For: METHODS FOR ISOLATING AND USING FUNGAL	)	February 24, 2004
HEMOLYSINS	)	<i>л</i> .

<sup>121</sup>AR 0 1 2004

## **REPLY: AMENDMENT AND REMARKS**

Customer Window, Mail Stop Honorable Commissioner for Patents U.S. Patent and Trademark Office 2011 South Clark Place Crystal Plaza Two, Lobby, Room 1B03 Arlington, Virginia 22202

Sir:

Replying to the Office Action mailed December 19,

2003, please amend as follows:

Amendments to the Claims are reflected in the listing of

claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.